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09/739,143	12/18/2000	Koichi Hata	MAT-8070US	9841

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EXAMINER
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VAUGHN, GREGORY J

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 03/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/739,143

Applicant(s)

HATA ET AL.

Examiner

Gregory J. Vaughn

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>1/3/05</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Application History*

1. This action is responsive to the application amendment, filed on 10/12/2004.
2. Applicant has amended claims 1-24, and added new claim 25.
3. Claims 1-25 are pending in the case, claims 1, 5, 7-9, 13, 15-17, 21 and 23-24 are independent claims.
4. Acknowledgement is made to applicant's submission of the Information Disclosure Statement, filed 1/3/2005.
5. Applicant has amended the specification in response to the objections cited by the examiner in the *Drawings* and *Specification* sections of the previous office action (dated 7/8/2004). Applicant's amendment has addressed the objections previously made, and therefore, in view of the amendment, objections to the drawings and specification are withdrawn.
6. Applicant has amended claims 1-16 in response to the rejections made under 35 USC 101 in the *Claims Rejections – 35 USC 101* section of the previous office action (dated 7/8/2004). Applicant's amendment has addressed the rejections previously made under 35 USC 101, and therefore, in view of the amendment, rejections made under 35 USC 101 to claims 1-16 are withdrawn.

**Specification**

7. The amendment filed 10/12/2004 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material, which is not supported by the original disclosure, is as follows:

25. (New) A method for processing a bit map of a document, the method comprising:

producing in a memory tree-structured data corresponding to the document according to the bit map of the document;

dividing the bit map of the document into plural regions based on the tree-structured data;

replacing a portion of the tree-structured data to replace one or more of the plural regions of the bit map of the document; and

outputting the bit map having the replaced one or more regions.

(amendment filed 10/12/2004, bottom of page 12, – new matter shown underlined).

Applicant has directed the examiner to page 7, line 10 to page 9, line 4 of the originally filed specification for support for this limitation (amendment filed 10/12/2004, page 13, third paragraph). The examiner was unable to find support for the added limitation in the specified location, nor anywhere else in the specification. Applicant is required to cancel the new matter in the reply to this Office Action.

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***Claim Rejections - 35 USC § 112***

8. The following is a quotation of the first paragraph of 35 U.S.C. 112:

*"The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention."*

9. Claim 25 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The limitation of the claim directed toward the *"bit map of the document"* is not supported by the originally filed specification.

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

*"(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made."*

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11. Claims 1-4, 9-12 and 17-20 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Li et al. US Patent 6,345,279, filed 4/23/1999, patented 2/5/2002, (hereinafter "Li").
12. **Regarding independent claim 1**, Li discloses determining a region of document image data to be divided according to pre-determined dividing information; and dividing the document image data into plural portions. Li recites: *"The present invention adapts multimedia content, e.g., Web documents, to optimally match the capabilities of the client device requesting it. Each Web document is a set of items, each of which is authored in a particular modality such as text or image"* (column 2, lines 20-24) and *"The 'resources' of a client can be divided up among several items on a Web page"* (column 6, lines 19-20).

Li discloses in Figure 3 at reference sign 100 the division of document-image data (shown as "Content Items Aj") at reference signs 120. The individual document-image data items are processed (shown as "Transcode") at reference sign 250. Li discloses in Figure 8 at reference sign 820 a memory in use with a processor (reference sign 810).

Li discloses a renewed structure image data (shown as "Customized Document") at reference sign 370. Li discloses outputting the renewed structure image data in Figure 3 at reference sign 370 (shown as "Customized Document").

Li discloses a structured image data processing method where the structured image data items are divided, processed and renewed as

described above. Li fails to explicitly describe the positioning data of the structured image data items. However, Li discloses in Figure 3, the maintained position of structured image data items through the method processing, as shown by the position of the image data items (shown as "*Content Items*") in steps shown at reference sign 100 (original content division step) to reference sign 340 (processing step) to reference sign 370 (renewed content step).

Therefore, it would have been obvious, to one of ordinary skill at the time the invention was made to use Li's content adaptation of multimedia information with positioning control in order to provide "*an adaptation process that selects the best representation to meet the client capabilities while delivering the most value to the client*" (Li, column 2, lines 50-52).

13. **Regarding dependent claim 2**, Li recites: "*Some exemplary transcoding processes 250 are listed below by modality of the version and the conversions performed to generate versions at different resolutions and modalities: (i) images: resolution--spatial size reduction, color depth reduction*" (column 5, lines 27-32) and Li further discloses equations in columns 7 and 8 where the difference between the original and various versions of the image data item are determined.

14. **Regarding dependent claim 3**, Li recites: "Further, the invention permits content to be authored in XML (Extensible Markup Language, as is known in the art), allowing the author to provide more information to the transcoding

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and adaptation systems than can be deduced from an HTML (hyper text markup language) page. One benefit of the server-based system of the invention is that due to the guidance provided by the author, a significantly greater level of customization can be performed than is possible in previous transcoding proxies" (column 2 line 63 to column 3, line 4) and "For example, in image search engines, the match scores of the returned images serve as priorities. Priorities can be assigned based on match scores for various dynamically generated pages" (column 7, lines 11-14)

15. **Regarding dependent claim 4**, Li recites: "*The InfoPyramid may include procedures and rules for translating and summarizing (transcoding) between modalities and resolutions. The InfoPyramid may also contain meta-data for each constituent version such as, for example, size, color, bandwidth requirements, publisher preferences, etc*" Column 5, lines 1-5) and "*The present invention adapts multimedia content, e.g., Web documents, to optimally match the capabilities of the client device requesting it. Each Web document is a set of items, each of which is authored in a particular modality such as text or image*" (column 2, lines 20-24).
16. **Regarding independent claims 9 and 17**, the claims are directed toward an apparatus and a computer program (respectively) for the method of claim 1, and are rejected using the same rationale.



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17. **Regarding dependent claims 10 and 18**, the claims are directed toward an apparatus and a computer program (respectively) for the method of claim 2, and are rejected using the same rationale.
18. **Regarding dependent claims 11 and 19**, the claims are directed toward an apparatus and a computer program (respectively) for the method of claim 3, and are rejected using the same rationale.
19. **Regarding dependent claims 12 and 20**, the claims are directed toward an apparatus and a computer program (respectively) for the method of claim 4, and are rejected using the same rationale.
20. Claims 5-8, 13-16 and 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li in view of Fields et al. US Patent 6,606,120, filed 12/10/1998, patented 8/1282003, (hereinafter "Fields").
21. **Regarding independent claim 5**, Li discloses a structured image data processing method where the structured image data items are divided, processed, renewed and outputted as described above. Li also teaches positioning as described above. Li fails to disclose the use of replaced media dividing information. Fields teaches the use of replaced media dividing information. Fields discloses in Figure 5A at reference sign 421, the replaced media dividing information (shown as "*Apply Filter Definition*").

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time the invention was made, to combine the multimedia content

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adaptation of Li with the dividing information as taught by Fields, in order “to develop a filter for extracting desired content elements from a set of web pages” (Fields, column 2, lines 45-46).

22. **Regarding dependent claim 6**, Li discloses a structured image data processing method where the structured image data items are divided, processed and renewed as described above. Li also teaches positioning as described above. Li and Fields disclose the use of replaced media dividing information. Li fails to disclose the media dividing information as text. Fields discloses the use of text as the media dividing information. Fields disclose in Figure 5B at reference sign 459 the use of text to divide (shown as “*Parse Page According To Embedded Tags And/Or Defaults*”).

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time the invention was made, to combine the multimedia content adaptation of Li with the dividing information as taught by Fields, in order to provide the benefit of “*automatically update material on the hosting web site as it is changes on the content provider web sites*” (Fields, column 2, lines 54-56).

23. **Regarding independent claims 7 and 8**, Li discloses a structured image data processing method where the structured image data items are divided, processed, renewed and outputted as described above. Li also teaches positioning as described above. Li discloses the use of scores as described above. Li fails to disclose the use of a first and second input. Fields discloses

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the use of multiple inputs. Fields discloses multiple inputs in Figure 8 at reference sign 801 (shown as "*Multiple Copies of Target URL*").

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time the invention was made, to combine the multimedia content adaptation of Li with the dividing information as taught by Fields, in order to provide the benefit of "*automatically update material on the hosting web site as it is changes on the content provider web sites*" (Fields, column 2, lines 54-56).

24. **Regarding independent claims 13 and 21**, the claims are directed toward an apparatus and a computer program (respectively) for the method of claim 5, and are rejected using the same rationale.
25. **Regarding dependent claims 14 and 22**, the claims are directed toward an apparatus and a computer program (respectively) for the method of claim 6, and are rejected using the same rationale.
26. **Regarding dependent claims 15 and 23**, the claims are directed toward an apparatus and a computer program (respectively) for the method of claim 7, and are rejected using the same rationale.
27. **Regarding dependent claims 16 and 24**, the claims are directed toward an apparatus and a computer program (respectively) for the method of claim 8, and are rejected using the same rationale.

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28. **Regarding independent claim 25**, Li discloses dividing a document into plural regions, replacing a portion of the document, and outputting the document as described above. Li fails to disclose tree-structured data corresponding to the document. Fields discloses in Figure 5B at reference sign 459 producing tree-structured data corresponding to the document (shown as "*Parse Page*").

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time the invention was made, to combine the multimedia content adaptation of Li with producing tree-structured data as taught by Fields, in order to provide the benefit of "*automatically update material on the hosting web site as it changes on the content provider web sites*" (Fields, column 2, lines 54-56).

***Response to Arguments***

29. Applicant's arguments filed 10/12/2004 have been fully considered but they are not persuasive.

30. **Regarding independent claim 1**, the applicant recites: *"Li does not disclose or suggest anything related to "positioning data" and, more particularly, to "replacing the positioning data and the document-image data before the processing with positioning data and document-image data after the processing" (amendment filed 10/12/2004, page 16, third paragraph).* Applicant is directed to the rejection of claim 1, as restated above.

31. **Also regarding independent claim 1**, the applicant recites: *"Fields does not disclose or suggest "positioning data" and, more particularly, as an example the recitation in claim 1 of "renewing the structured image data by replacing the positioning data and the document-image data before the processing with positioning data and document-image data after the processing" (amendment filed 10/12/2004, page 17, last paragraph).* Applicant is directed to the rejection of claim 1, as restated above.

**Conclusion**

32. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

33. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Vaughn whose telephone number is (571) 272-4131. The examiner can normally be reached Monday to Friday from 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached at (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is (571) 272-2100.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory J. Vaughn  
February 15, 2005



**STEPHEN HONG**  
**SUPERVISORY PATENT EXAMINER**